

Bill [202.]

This Bill is  
incomplete in  
this volume

a manufacturer or agent and weaver, shall be evidence of all such matters and things mentioned therein, or respecting the same. A.D. 1879.

16. Any manufacturer or agent refusing or neglecting to give such note or ticket in the manner hereby prescribed, or not producing such duplicate or copy of the substantial contents of the same, when prosecuting a complaint against any weaver or person to whom goods have been delivered out, shall be deprived of any remedy he might otherwise be entitled to under this Act for the recovery of any property so delivered out, or for the punishment of any offender or offenders against any of the provisions thereof, in any matter or thing relating to the said property so delivered out without a ticket.

Manufacturers neglecting to give tickets or produce duplicates, deprived of remedy under this Act.

3 & 4 Vict. c. 91. s. 17.

17. If any person shall receive any of the aforesaid materials in a fictitious name in order to be manufactured; or if any person shall receive in his own name any of the said materials in order to be manufactured by himself, or on his own premises, and afterwards (without the consent of the owner thereof) deliver the same or any part thereof to any other person to be manufactured; or if any carrier or other person employed to deliver any such materials to any workmen, to be prepared or wrought up, shall designedly deliver the same to any person other than the person to whom such materials were ordered or intended to be delivered by the owner thereof; every such person so offending, upon being convicted thereof, shall for every such offence be liable to a penalty not exceeding *two pounds*.

Receiving materials in a fictitious name.

3 & 4 Vict. c. 91. s. 19. 6 & 7 Vict. c. 40. s. 16.

18. In cases where any weaver or person shall have been committed for embezzling or illegally making away with all or any part of the property intrusted to him, or shall have been convicted of any other offence against any of the provisions of this Act, it shall be lawful for the justice who committed such person for embezzling or illegally making away with all or any part of the property intrusted to him, or for the court before which he has been convicted for that or any other offence, and such court or justice is hereby required, to issue a warrant, authorising a constable to enter the house and premises of such weaver or person, and take possession of all such property so intrusted to him as shall be found therein (if a warp on the beam, with the beam and mountings), and to bring the same before the said justice or court, when the said justice or court shall direct the same to be delivered to the manufacturer, agent, or person duly authorised to receive the same.

Warrant to constable to take possession of property.

3 & 4 Vict. c. 91. s. 20. 6 & 7 Vict. c. 40. s. 16.

19. And for the discouragement of frivolous and vexatious informations and prosecutions under this Act, be it enacted, that it

Penalty for bringing a malicious

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A.D. 1872.

charge  
before the  
court.  
3 & 4 Vict.  
c. 91, s. 24.  
6 & 7 Vict.  
c. 40, s. 21.

shall be lawful for any court before whom any case under this Act is tried, to award costs to the defendant in case of acquittal, to be paid by the prosecutor; and also if it shall appear to such court that the charge was made from a malicious, vexatious, or improper motive, it shall be lawful for such court to award to the defendant 5 such further sum of money, not exceeding *twenty pounds*, as to such court shall seem fit, to be paid by such prosecutor as a compensation for the injury done; and in default of payment such costs and penalty shall be levied in the same manner as any penalty under this Act.

Summary  
proceedings  
for offences,  
penalties, &c.

20. Except as in this Act otherwise provided, every offence under this Act shall be prosecuted, and every penalty and forfeiture shall be recovered and enforced before a court of summary jurisdiction in the manner directed by the Summary Jurisdiction Acts; and all provisions of the said Acts relative to summary proceedings and 15 to appeals against orders and convictions shall apply to proceedings, orders, and convictions under this Act. The court of summary jurisdiction shall be constituted within the police district of Dublin metropolis of any divisional justice thereof, and elsewhere in Ireland of two or more justices of the peace in petty sessions, or of a stipendiary magistrate alone or with other justices in petty sessions: Provided that in all convictions or adjudications under this Act one at least of the convicting or adjudicating justices shall be a person not engaged in any manufacture, trade, occupation, or employment to which this Act extends, and shall not be the father, son, or 25 brother of any such person.

Application  
of penalties.

21. In all cases under this Act, when the person convicted is ordered to forfeit the value of any property under the provisions herein-before contained, the court making the conviction may order that such forfeited sum or any part thereof be paid to the owner 30 of the said property, and except as aforesaid all forfeitures and penalties imposed under this Act shall be applied in the manner directed by the Fines Act (Ireland), 1851, and any Act amending the same.

Construction  
of terms.  
3 & 4 Vict.  
c. 91, s. 23.  
30 & 31 Vict.  
c. 60, ss. 2  
and 3.

22. In the construction of this Act, the word "yarn" shall 35 extend to and include flax, hemp, jute, cotton, silk, and wool which shall have been subjected to any manipulation or process to which such materials respectively are subjected by manufacturers, unless there be something in the subject or context inconsistent with such meaning, and any person in the 40 employment of a yarn manufacturer, and having any yarns of such manufacturer in the hands or power or under the charge or

control of such person, shall be deemed to be intrusted therewith  
for the purpose of manufacture. The expression "Summary Juris-  
diction Acts" means, as regards the police district of Dublin  
metropolis, the Acts regulating the powers and duties of justices of  
5 the peace for such district, and as regards other parts of Ireland,  
the Petty Sessions (Ireland) Act, 1851, and any Act amending  
the same.

A.D. 1879.  

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## SCHEDULE.

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- 10 5 & 6 Will. 4. c. 27., so far as the same is not already repealed.  
3 & 4 Viet. c. 91.  
5 & 6 Viet. c. 68.  
7 & 8 Viet. c. 47.  
30 & 31 Viet. c. 60.

Linen and Hempen  
Manufactures (Ireland).

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B I L L

To consolidate, amend, and continue the  
Laws relating to Linen, Hempen, and  
other Manufactures in Ireland.

(Prepared and brought in by  
Mr. James Lowther and Mr. Attorney-General  
for Ireland.)

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Ordered, by The House of Commons, to be Printed,  
9 June 1879.

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[Bill 202.]

Under 2 os.